

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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FEB 09 2010
JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

5 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
6

7 UNITED STATES OF AMERICA,

CR-09-0172-LRS

8 Plaintiff,

SUPERSEDING INDICTMENT

10 vs.

Vios: Ct. 1: 21 U.S.C. § 846-
Conspiracy to Manufacture a
Controlled Substance

Ct. 2: 21 U.S.C. § 841(a)(1)-
Manufacture of Marijuana

13 CLINTON LEE HALBERT,
WRIGHT CHRISTOPHER HALBERT,

21 U.S.C. § 853
Notice of Forfeiture
Allegations

15 Defendants.

17 The Grand Jury charges:

18 COUNT 1

20 Beginning on a date unknown, but by at least on or about May
21 2, 2006, through on or about December 11, 2009, in the Eastern
22 District of Washington and elsewhere, the Defendants, CLINTON LEE
23 HALBERT, WRIGHT CHRISTOPHER HALBERT, and others, known and
24 unknown to the Grand Jury, did knowingly and intentionally
25 conspire, confederate and agree with each other and others to
26 commit the following offense against the United States, to wit:
27 to knowingly and intentionally manufacture in excess of 50

28

1 marijuana plants; in violation of Title 21, United States Code,
2 Section 841(a)(1), and did aid and abet said conspiracy and
3 agreement; all in violation of Title 21 United States Code,
4 Section 846 and Title 18, United States Code, Section 2.

5 COUNT 2

6 On or about December 11, 2009, in the Eastern District of
7 Washington, the Defendants, CLINTON LEE HALBERT and WRIGHT
8 CHRISTOPHER HALBERT, did knowingly and intentionally manufacture
9 at least 50 marijuana plants, a Schedule I controlled substance,
10 all in violation of Title 21, United States Code, Section
11 841(a)(1), and Title 18, United States Code, Section 2.

12 NOTICE OF CRIMINAL FORFEITURE

13 The allegations contained in Count 1 of this Indictment are
14 hereby realleged and incorporated by reference for the purpose of
15 alleging forfeiture pursuant to Title 21 United States Code,
16 Section 853.

17 Pursuant to Title 21 United States Code, Section 853, upon
18 conviction of an offense in violation of Title 21 United States
19 Code, Section 846, the Defendants, CLINTON LEE HALBERT, and
20 WRIGHT CHRISTOPHER HALBERT, shall forfeit to the United States of
21 America, any property constituting or derived from any proceeds
22 obtained directly or indirectly as a result of the such offenses
23 and any property used or intended to be used, in any manner or
24 part, to commit or to facilitate the commission of the
25 offense(s). The property to be forfeited includes, but is not
26 limited to, the following:

27
28

1 REAL PROPERTY

2 Parcel Number 2378800, located in Stevens County, State of
3 Washington, legally described as follows:

4

5 That part of the W $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19,
6 Township 39 North, Range 39 East, W.M., in Stevens County,
7 Washington, described as follows:

8

9 Beginning at a point on the North line of said W $\frac{1}{4}$ located South
10 89°31'57" East 513.44 feet from the Northwest corner of said W $\frac{1}{4}$
11 ; thence South 89°31'57" East 147.00 feet to the Northeast corner
12 of said W $\frac{1}{4}$; thence South 00°10'04" East 360.00 feet along the
13 East line of said W $\frac{1}{4}$; thence North 22°17'17" West 390.36 feet to
14 the Point of Beginning.

15

16 The E $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the E $\frac{1}{4}$ of Government Lot 3
17 of Section 19, Township 39 North, Range 39 East, W.M., in Stevens
18 County, Washington.

19

20 EXCEPT that part of said Lot 3 as outlined on print of Sheet No.
21 1928, Columbia River Reservoir, Grand Coulee Dam, attached to
22 Contract recorded in Book 108 of Deeds, Page 117.

23

24 EXCEPT beginning at a point in the West line of said E $\frac{1}{4}$ located
25 South 00°10'04" East 1039.50 feet from the Northwest corner of
26 said E $\frac{1}{4}$; thence South 12°21'00" East 478.79 feet to the
27 Northeasterly boundary of the Columbia River Reservoir; thence

1 South $60^{\circ}24'23''$ West 116.00 feet along said boundary to the West
2 line of said E $\frac{1}{2}$; thence North $00^{\circ}10'04''$ West 525.00 feet along
3 said West line to the Point of Beginning.

4

5 That part of the West 100.00 feet of Government Lot 1 of Section
6 19, Township 39 North, Range 39 East, W.M., in Stevens County,
7 Washington, described as follows:

8

9 Beginning at the Northeast corner of said Government Lot 3;
10 thence North $00^{\circ}14'35''$ West 721.10 feet; thence North $47^{\circ}45'21''$
11 East 134.56 feet; thence South $01^{\circ}06'08''$ West 753.52 feet; thence
12 South $42^{\circ}06'06''$ West 122.08 feet to the East line of Government
13 Lot 3; thence North $00^{\circ}14'35''$ West 32.40 feet, more or less, to
14 the Point of Beginning.

15

16 TOGETHER WITH all appurtenances, fixtures, attachments, and
17 improvements thereto or thereupon.

18

19 SUBJECT TO any and all easements, restrictions and covenants of
20 record.

21

PERSONAL PROPERTY

22 One 1980 Case 580c Loader Backhoe, Serial Number
23 8986590, seized on or about December 11, 2009.

24

25 If any of the above-described forfeitable property, as a result
26 of any act or omission of the Defendants:

27

(a) cannot be located upon the exercise of due diligence;

28

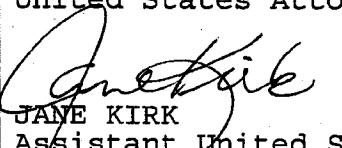
1 (b) has been transferred or sold to, or deposited with, a
2 third party;
3 (c) has been placed beyond the jurisdiction of the court;
4 (d) has been substantially diminished in value; or
5 (e) has been commingled with other property which cannot be
6 divided without difficulty;

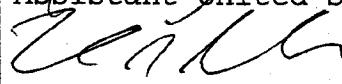
7
8 the United States of America shall be entitled to forfeiture of
9 substitute property pursuant to Title 21, United States Code,
10 Section 853(p).

11
12
13 DATED this 9th day of February, 2010.

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15 A TRUE /BIN

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